



THE FLORIDA LEGISLATURE



January 11, 2009

The Honorable Jeff Atwater
President of the Senate

The Honorable Ray Sansom
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on CS/SB 8-A, 1st Eng., same being:

An act relating to Medicaid Program.

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the House recede from its Amendment 1.
2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

Managers on the part of the Senate

<i>Senator JD Alexander, Chair</i>	<i>Senator Ted Deutch, Vice Chair</i>
<i>Senator Thad Altman, At Large</i>	<i>Senator Dave Aronberg</i>
<i>Senator Carey Baker</i>	<i>Senator Michael S. "Mike" Bennett</i>
<i>Senator Larcenia J. Bullard</i>	<i>Senator Lee Constantine</i>
<i>Senator Victor D. Crist</i>	<i>Senator Charles S. "Charlie" Dean, Sr.</i>
<i>Senator Nancy C. Detert</i>	<i>Senator Alex Diaz de la Portilla</i>
<i>Senator Paula Dockery</i>	<i>Senator Mike Fasano</i>
<i>Senator Don Gaetz</i>	<i>Senator Rudy Garcia</i>
<i>Senator Andy Gardiner</i>	<i>Senator Dan Gelber</i>
<i>Senator Mike Haridopolos</i>	<i>Senator Anthony C. "Tony" Hill, Sr.</i>
<i>Senator Dennis L. Jones, D.C.</i>	<i>Senator Arthenia L. Joyner</i>
<i>Senator James E. "Jim" King, Jr.</i>	<i>Senator Alfred "Al" Lawson, Jr.</i>
<i>Senator Evelyn J. Lynn</i>	<i>Senator Steve Oelrich</i>
<i>Senator Durell Peaden, Jr.</i>	<i>Senator Ken Pruitt, At Large</i>
<i>Senator Nan H. Rich</i>	<i>Senator Garrett S. Richter</i>
<i>Senator Gary Siplin</i>	<i>Senator Christopher L. "Chris" Smith</i>
<i>Senator Eleanor Sobel</i>	<i>Senator Ronda Storms</i>
<i>Senator J. Alex Villalobos</i>	<i>Senator Frederica S. Wilson</i>
<i>Senator Stephen R. Wise</i>	

Managers on the part of the House of Representatives

Representative David Rivera, Chair and At Large

Representative Joseph Abruzzo

Representative Janet H. Adkins

Representative Thomas Anderson

Representative Leonard L. Bembry

Representative Esteban L. Bovo, Jr.

Representative Mary Brandenburg, At Large

Representative Ronald A. Brisé

Representative Rachel V. Burgin

Representative Dean Cannon, At Large

Representative Charles S. Chestnut IV

Representative Marti Coley

Representative Steve Crisafulli

Representative Carl J. Domino

Representative Eric Eisnaugle

Representative Anitere Flores

Representative Erik Fresen

Representative Bill Galvano, At Large

Representative Marcelo Llorente, Chair and At Large

Representative Sandra Adams

Representative Kevin C. Ambler

Representative Gary Aubuchon

Representative Ellyn Setnor Bogdanoff, At Large

Representative Debbie Boyd

Representative Oscar Braynon II

Representative Dwight M. Bullard

Representative James Bush III

Representative Jennifer Carroll

Representative Gwyndolen Clarke-Reed

Representative Larry Cretul, At Large

Representative Faye B. Culp

Representative Brad Drake

Representative Greg Evers

Representative Clay Ford

Representative James C. Frishe

Representative Luis R. Garcia

Representative Audrey Gibson, At Large

Representative Denise Grimsley

Representative D. Alan Hays

Representative Ed Homan

Representative Mike Horner

Representative Dorothy L. Hukill

Representative Mia L. Jones

Representative Martin David Kiar

Representative John Legg

Representative Debbie Mayfield

Representative Seth McKeel

Representative Peter Nehr

Representative H. Marlene O'Toole

Representative Jimmy Patronis

Representative Scott Plakon

Representative Ralph Poppell

Representative William L. Proctor

Representative Scott Randolph, At Large

Representative Betty Reed

Representative Ronald Renuart

Representative Richard Glorioso

Representative Adam Hasner, At Large

Representative Bill Heller

Representative Ed Hooper

Representative Matt Hudson

Representative Evan Jenne

Representative Kurt Kelly

Representative Paige Kreegel

Representative Carlos Lopez-Cantera, At Large

Representative Charles McBurney

Representative Dave Murzin

Representative Bryan Nelson

Representative Mark S. Pafford

Representative Pat Patterson

Representative Juan-Carlos Planas

Representative Stephen L. Precourt

Representative Kevin J. G. Rader

Representative Lake Ray

Representative Michelle Vasilinda Rehwinkel

Representative Julio Robaina

Representative Kenneth L. Roberson

Representative Darryl Ervin Rouson

Representative Robert C. Schenck

Representative William D. Snyder

Representative Kelli Stargel

Representative Dwayne L. Taylor

Representative Geraldine F. Thompson

Representative Perry E. Thurston, At Large

Representative Will W. Weatherford

Representative Alan B. Williams

Representative Juan C. Zapata

Representative Hazelle P. Rogers

Representative Ron Saunders

Representative Kelly Skidmore

Representative Darren Soto

Representative Richard L. Steinberg

Representative Priscilla Taylor

Representative Nicholas R. Thompson

Representative Charles E. Van Zant

Representative Michael B. Weinstein

Representative Trudi K. Williams

The Conference Committee Amendment for CS/SB 8-A, 1st Eng. (681414), relating to Medicaid Program, provides for the following:

- Creates s. 409.9082, Florida Statutes, to provide for a quality assessment on nursing home facility providers.
- Requires that a quality assessment be imposed upon each nursing home, effective April 1, 2009, not to exceed 5.5 percent of the total aggregate net patient service revenue of assessed facilities.
- Provides that the Agency for Health Care Administration shall calculate the quality assessment annually on a per-resident-day basis, exclusive of those days funded by the Medicare program.
- Requires the assessment be uniform except for certain nursing home facilities and provides that assessments may be lowered for certain high volume facilities.
- Provides that facilities are to report resident days and remit payment to the Agency and specifies a timeline for collection and reporting. The collection of the assessment shall begin no sooner than five days after the Agency's initial payment of the Medicaid rates.
- Provides that nursing home facilities may not create a separate line-item charge for the purpose of passing through to residents.
- Provides for certain nursing home facility providers to be exempt from the assessment.
- Provides that the Agency may apply a lower quality assessment rate to high-volume Medicaid facilities and to high-patient volume nursing facilities. The lower rate shall be applied to the fewest number of facilities necessary to meet federal Medicaid waiver requirements.
- Provides that the purpose of the nursing home facility quality assessment is to assure continued quality of care. Collected assessments are to be used to obtain federal financial participation through the Medicaid program in order to make Medicaid payments for nursing home facility services up to the amount of nursing home facility Medicaid rates as calculated in accordance with the approved state Medicaid plan in effect on December 31, 2007.
- Specifies the purposes and priorities of the uses of funds;
- Provides that the quality assessment shall terminate and the Agency shall discontinue the assessment and collection of the quality assessment if federal approval of the waiver or rates is not approved, or if the weighted average Medicaid rate paid to nursing home facilities is reduced below the rate in effect on December 31, 2008.
- Provides that upon termination of the quality assessment, all collected assessment revenues, less amounts expended by the Agency, are to be returned on a pro rata basis to the nursing facilities that paid them.
- Provides for sanctions against facilities for not paying timely assessments.
- Provides the Agency with rule making authority.